

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KRISTIN BENZINGER,

Plaintiff,

-v-

LUKOIL PAN AMERICAS, LLC, and
LITASCO S.A.,

Defendants.

16 Civ. 8533 (PAE)


ORDER

PAUL A. ENGELMAYER, District Judge:

On May 14, 2021, the parties submitted a proposed settlement agreement, Dkt. 129-1 (“Agreement”), and a letter in support, Dkt. 129 (“Letter”) in this Fair Labor Standards Act (“FLSA”) and New York Labor Law action. The Court has carefully reviewed the Agreement. The Court concludes, substantially for the reasons stated in the parties’ letter, that the proposed settlement agreement is fair and reasonable. Under the Agreement, defendants agree to pay \$54,209.60 to plaintiff, and \$30,790.40 in attorneys’ fees and costs to plaintiff’s attorney, Nesenoff & Miltenberg, LLP. The Agreement therefore allocates one third of the settlement amount, net of costs, to plaintiff’s counsel as attorneys’ fees. Upon careful review of the Agreement, the Court is satisfied that the Agreement was achieved through procedurally fair means and is fair and reasonable such that it satisfies the standard set forth in *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015). The Court commends counsel on resolving this longstanding and hard-fought litigation.

Accordingly, the Court approves the Agreement, and dismisses this action with prejudice as requested by the parties. The Clerk of Court is respectfully directed to close this case.

SO ORDERED.


Paul A. Engelmayer
United States District Judge

Dated: May 17, 2021
New York, New York